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FEB 17 2009

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SIGNATURE BANK,

Plaintiff,

- against -

AHAVA FOOD CORP. d/b/a NORTH COUNTRY  
CHEESE CORP., LEWIS COUNTY DAIRY  
CORP., ST. LAWRENCE FOOD CORP. d/b/a  
PRIMO FOODS, YONI REALTY, LLC,  
SCHWARTZ AND SONS QUALITY  
DISTRIBUTORS, INC., MOISE BANAYAN, ANA  
BANAYAN a/k/a CHANA BANAYAN, REBECCA  
BANAYAN a/k/a REBECCA BARIMYAN a/k/a  
REBECCA BANAYAN-LIEBERMAN, FARIBORZ  
BANAYAN a/k/a AARON BANAYAN, RUBEN  
BEITYAKOB, ARI KATZ, AHAVA OF  
CALIFORNIA, LLC d/b/a AHAVA NATIONAL  
FOOD DISTRIBUTOR and NORTH COUNTRY  
MANUFACTURING, and JOHN DOES 1 through  
50,

Defendants.

MOTION MADE BY:

HARRIS BEACH PLLC, attorneys for St. Lawrence  
County Industrial Development Agency, Local  
Development Corporation, as Administrator for the  
Greater Massena Economic Fund.

NOTICE OF MOTION OF ST.  
LAWRENCE COUNTY  
INDUSTRIAL DEVELOPMENT  
AGENCY LOCAL DEVELOPMENT  
CORPORATION  
TO INTERVENE

08-cv-3893 (NRB)

ENDORSED  
ORDER

This motion is  
deemed withdrawn.

(See April 17, 2009 letter to  
the court from Kevin P. Ryan,  
Esq.)

4/20/09

**DATE, TIME & PLACE:** March 30, 2009 at 10:00 a.m.  
U.S. District Courthouse, 500 Pearl Street, New York,  
New York 10007.

**RELIEF SOUGHT:** Intervention pursuant to Fed. R. Civ. P. 24.

**GROUND FOR RELIEF SOUGHT:** As holder of a purchase money security interest in certain collateral held by St. Lawrence Food Corp. and/or Ahava of California, LLC d/b/a Ahava National Food Distributor and subject to Signature Bank's motion for an order of seizure, movant has met the requirements of Rule 24 for intervention as a matter of right or, in the alternative, for permissive intervention.

**SUPPORTING PAPERS:** Affidavit in support of motion by Ernest LaBaff, dated February 13, 2009, with exhibits attached thereto, and Memorandum of Law, submitted under separate cover.

Dated: February 13, 2009  
Pittsford, New York

**HARRIS BEACH PLLC**

s/ Kevin P. Ryan  
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